

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 97-CR-98

DAVID KADLEC,

Defendant.

**UNITED STATES' MOTION FOR AN EXTENSION TO FILE COMPASSIONATE
RELEASE RESPONSE**

The United States of America, by its attorneys, Richard G. Frohling, United States Attorney for the Eastern District of Wisconsin, and Carol L. Kraft, Assistant United States Attorney, hereby moves the Court for an extension to file the government's response to David Kadlec's compassionate release motion.

On December 7, 2021, Kadlec filed a pro se motion entitled "David Kadlec's *Pro Se* Expedited Motion for Compassionate Release Based on 18 U.S.C. §3582(c)(1)(A); Motion for Phone Records; and Motion to Appoint Counsel." Dkt. 2266. On December 13, 2021, the Court granted a motion to withdraw as Kadlec's counsel, filed by Attorney Alexander Basinski, and directed the Federal Defender Service to inform the Court whether the Federal Defender would file anything on Kadlec's behalf. Dkt. 2267. On January 11, 2022, the Federal Defender filed a letter opining that Kadlec appears to have valid reasons for seeking compassionate release, asserting that the Federal Defender has a conflict of interest, and requesting that the Court order appointment of counsel for Kadlec. Dkt. 2268. On January 21, 2022, the Court signed an order

directing the government to respond to Kadlec's motion within fourteen days. The Court's order was entered on the docket on January 24, 2022. Dkt. 2270.

By this motion, the United States seeks an extension of one week to Monday, February 14, 2022 to file its response. As grounds, undersigned counsel represents that counsel has contacted the Bureau of Prisons (BOP) to request information relevant to the government's response, including a copy of Kadlec's administrative request for compassionate release, the Warden's response to the same, Kadlec's current medical records, and other information related to his incarceration. To date, an attorney for the BOP has been able to provide some, but not all of the information requested by government counsel but has indicated he is working on the request and that other items will be forthcoming. Accordingly, the government is requesting additional time to receive and review the documents and incorporate their content into the government's response.

Dated this 7th day of February 2022.

Respectfully submitted,

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